

## Intoxicating Liquors (Ireland) Bill.

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## Class.

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32. Sale to bona fide hotel guests and travellers not prohibited.
33. Sale of drink not to be compulsory on vendors in any case.

## SCHEDULES.

## A

## B I L L

TO

Amend the Laws relating to the Common Sale of Intoxicating A.D. 1873.  
Liquors in Ireland.

**W**HIEREAS it is expedient to amend the laws relating to the common sale of intoxicating liquors as beverages in Ireland:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

<p>1. This Act may be cited as "The License Reform (Ireland) <small>Short title.</small> Act, 1873."</p> <p>2. This Act shall not apply to England or Scotland.</p> <p>10 3. In this Act, if not inconsistent with the context, the following terms shall have the meanings herein-after respectively assigned to them; that is to say,</p> <p>15     "Drink" shall mean any distilled or fermented liquor ordinarily or commonly used as a beverage;</p> <p>20     "Inhabitant" in any district shall mean any person, male or female, who is returned on the Poor Law Assessment Book for the time being in force in such district as the occupier of any dwelling-house therein;</p> <p>25     Words of the masculine gender shall extend to and include words of the feminine gender;</p> <p>30     "Hotel guest" shall mean any person who is bona fide a lodger in any hotel where drink is supplied to him, or upon his order;</p> <p>35     "Traveler" shall mean a person who, being distant from his usual dwelling-house, as well as from his next intended place of lodging or destination, at least three statute miles as measured on the ordnance map, could not have reached the place whereat he applies for drink more quickly than in one hour's time of travelling from his last place of lodging or sojourn by</p>	<p>Extent of Act. Interpreta- tion.</p>
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[Bill 71.]

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the means of travelling whereby he had actually reached such place on the day of said application :

"District" shall mean an electoral division in a poor law union, where such electoral division is not coterminous with a ward in a city or borough ; and in a city or borough it shall mean a 5 ward :

"Guardians," or "board of guardians," shall mean the guardians of the poor in any district not included within the boundary of a city or borough, or of a town governed by town commissioners. In the case of a district within a city or borough it 10 shall mean the corporation of such city or borough ; and in the case of a district within a town governed by town commissioners, it shall mean such commissioners :

"Clerk of union" shall mean clerk of the guardians of the poor, and in the case of a district within a city or borough shall 15 mean the town clerk, and in the case of a town governed by town commissioners, it shall mean the clerk to said commissioners :

"Licensing authority" shall mean the licensing authority existing in any district previous to the passing of this Act : 20

"Petty sessions clerk" shall mean the clerk or registrar of the licensing authority existing in any district previous to the passing of this Act :

The terms "license," "excise license," "licensing justices," "licensed person," "licensed premises," "sale by retail," 25 "register of licensees," "clerk to the licensing justices," "police authority," "superintendent of police," "constable," and "petty sessions," shall respectively have the same meaning as ascribed to them in "The Licensing Act, 1872," as applied to Ireland. 30

Repeal of all Acts imposing restrictions on the common sale of drink.

Proviso as to retention of excise duties.

Ratespayers by requisition may

4. From and after the passing of this Act all former Statutes imposing any restriction upon the sale of drink in Ireland, or imposing any penalty upon any person licensed for the sale of drink in Ireland, in respect of any Act connected with such sale, or authorising any constable to enter upon any licensed premises, shall 35 be and the same are hereby wholly repealed : Provided, however, that nothing in this Act contained shall be construed as repealing or affecting any Statute imposing or dealing with any excise duty upon any distilled or fermented liquor, unless herein otherwise expressly declared and enacted. 40

5. It shall be lawful for ten ratespaying inhabitants of any district to sign and forward to the board of guardians of or for the

said district a requisition in the form No. 1 in the first schedule to this Statute annexed. Such board of guardians shall within ~~ten~~<sup>5</sup> days after the receipt of the said requisition by them direct and cause it to be published by being inserted in two newspapers circulating in such district, and by causing printed copies of such requisition to be conspicuously posted in public places throughout the district. In like manner and at the same time the board of guardians shall give public notice in the form No. 2 in the first schedule of this Statute that on a day to be named in the said notice (but not to be earlier than the ~~twelfth~~<sup>10</sup> day, nor later than the ~~fifteenth~~<sup>15</sup> day, inclusive of both, after the date of the publication of the said notice) a vote of the inhabitants of such district will be taken upon the questions referred to and set out in the said notice. The hours during which and the place or places at which the vote shall be taken, as well as the machinery and method to be adopted with reference to such vote, and the proceedings subsequent thereto, and until the votes shall have been counted, shall be in all respects as nearly as may be similar to those authorised with respect to municipal elections by "The Ballot Act, 1872;" provided always as follows:

The term "returning officer" shall, in places where a lord mayor, mayor, chairman of town commissioners, or chairman of township commissioners has authority, mean such lord mayor, mayor, chairman of town commissioners, or chairman of township commissioners respectively; elsewhere the term "returning officer" shall mean the clerk of the union.

The term "register of voters" shall mean the persons, male or female, whose names are returned on the poor law assessment book or rate book for the time being in force in such district as the occupier of any dwelling-house therein.

6. As soon as possible after the time fixed for the taking of the vote (but at an hour and place which shall have been advertised and publicly fixed and in the district in which the vote is to be taken) the returning officer shall proceed to examine and count the votes which shall have been recorded; this shall be done in the presence of as many of the persons who signed the requisition for the vote as shall be then present. Such examination and counting shall be proceeded with without unnecessary delay, and no voting paper shall be rejected for any apparent or real informality, unless a clear majority of those persons authorised to be present at the examination and counting concur in agreeing that such paper should

A.D. 1873  
call for par-  
tial restric-  
tion; where-  
upon board  
of guardians  
shall cause  
a vote to be  
taken.

Returning  
officer shall  
count the  
votes.

A.D. 1875. be rejected on the ground that the voter has not with sufficient clearness indicated his view with regard to the subject matter of the vote.

If a majority of three fifths of the vote for such partial restriction, notification to be made and published.

7. If it shall at such counting appear that more than three fifths of the number of persons who shall so as aforesaid vote have voted for the adoption of the first schedule of this Statute, the returning officer shall forthwith sign ten or more certificates to that effect, and cause the same to be posted in public places throughout the district in which the vote was taken; he shall also forward two similar certificates, signed by him, to the petty sessions clerk of such district. Upon receipt of the said certificates by the petty sessions clerk, he shall forthwith forward one of them to the licensing authority of the district, having first endorsed upon it a memorandum of the fact and date of its receipt by him.

Licensing session therapon to be held.

8. Within fourteen clear days from the date so certified by the petty sessions clerk, the licensing authority of the district, shall cause to be published twice, in some newspaper circulating in the district, an announcement that upon a date to be therein fixed (but not to be sooner than the fourteenth, nor later than the twenty-first day from the date of the said announcement) a licensing session in and for the district will be held at a place and hour in the said announcement specified; and that from and after the tenth day from the date of such session, and inclusive of it, the first schedule of this Act will be in force throughout such district. Notice of the day, hour, and place selected for the licensing session shall be also sent by post to every person authorised by any law in existence at the date of this Statute to vote for or against the granting of licences for such district.

Licences to be granted.

9. At a licensing session so held in any district the licensing authority shall have the right of determining, by the decision of a majority of those present and authorised by law to vote upon the question, what number of licences shall be granted for such district: Provided nevertheless, that it shall not be lawful for them to grant any greater number of licences for the district than were there in force at any one period during the twelve months next immediately before the passing of this Act. In granting these licences the licensing authority shall, as between applicants therefor of equally good character, give a preference to any applicant or applicants who was or were the holder or holders of any license or licenses within such district at the time of the passing of this Act; and as between two or more of such applicants, this selection shall be

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exercised in favour of such applicant or applicants as shall have been so licensed during the longest period next immediately before the passing of this Act. No person shall be entitled to apply for a license under this section who shall not at least seven clear days before the date fixed for such session have sent to the petty sessions clerk of the district notice in writing of his intention to apply for a license. If the applicant hold a license in the district at the date of the passing of this Statute, that fact must be mentioned in the notice, as well as the date when he obtained such license. This notice shall be taken as evidence of the alleged facts stated in it. The licensing authority shall have power to examine upon oath any applicant touching the truth of the statements in the notice so given by him.

**10.** No distiller, brewer, or holder of a license shall be entitled to vote either as to the adoption in any district of any schedule of this Act, or as to the issue of licenses for any district; and any person acting in contravention of this section shall be liable to a penalty of *fifty pounds*, which may be recovered by any inhabitant of the district who shall sue for the same in one of the superior courts at Dublin.

Certain persons not to vote.

**11.** When in any district the first schedule of this Act shall have been adopted in the manner herein-before described, it shall continue and be in force in such district for three years and no longer; and at the expiration of said term, the sale of drink within such district shall be free and uncontrolled, in the same manner exactly as after the passing of this Statute and before the adoption of the first schedule of this Act in the district: Provided always, that before the expiration of said term the continued operation of the said schedule may be sanctioned, or some other schedule adopted by the inhabitants of such district, in the manner herein-after respectively pointed out.

Duration of the operation of the schedule then adopted.

**12.** When and as often as the first schedule of this Act shall have been in operation in any district for a period of not less than one year, it shall and may be lawful for ten ratepaying inhabitants of such district to sign and forward to the board of guardians of or for the district a requisition in the form No. 1 in the second schedule of this Act. Such board shall, within ten days after the receipt of such requisition by them, direct and cause it to be published by being inserted in two newspapers circulating in such district, and by causing printed copies of such requisition to be conspicuously posted in public places throughout the district. In like manner and at the same time the board shall give public notice, in the form

Ratepayers by requisition may call for further restriction; whereupon a vote of the inhabitants shall be taken.

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No. 2 in the said schedule contained, that on a day to be named in the said notice (but not to be earlier than the thirtieth, nor later than the thirty-fifth day, inclusive of both and of Sundays, after the date of the publication of the said notice) a vote of the inhabitants of such district will be taken upon the questions referred to and set out in the said notice.

If majority  
of two thirds  
vote for  
such further  
restriction,  
modification  
to be made  
and pub-  
lished.

The hours during which, and the place or places at which the vote shall be taken, as well as the machinery and method to be adopted with reference to such vote, and the proceedings subsequent thereto; and until the votes shall have been counted, shall be in all respects as nearly as may be similar to those authorised for adoption in sections five and six of this Act, save insofar as the same may be inconsistent with the provisions next herein-after contained; that is to say, if it shall appear at the counting of the votes so given as aforesaid that more than two thirds of the number of persons who shall have recorded their votes have voted in favour of the adoption of schedule two of this Act in such district, the returning officer shall forthwith sign ten certificates to that effect, and cause the same to be posted in public places throughout the district in which the vote was taken; and he shall also without delay forward two similar certificates to the petty sessions clerk of such district.

Second  
schedule of  
this Act to  
come into  
operation.

13. Upon receipt of the said certificates by the petty sessions clerk, he shall forthwith transmit one of them to the licensing authority of or for the district, having previously endorsed upon it a memorandum of the fact and date of its reception by him. Within fourteen clear days from the date so certified by the petty sessions clerk the licensing authority of the district with respect to which the requisition was prepared shall cause to be published twice in some newspaper circulating in the district an announcement, that from and after a date to be therein fixed (but not to be sooner than the thirtieth nor later than the thirty-fifth day, inclusive of both and of Sundays from the date of such announcement) the provisions of the second schedule of this Act shall be and continue in operation in such district. This announcement shall contain a summary of the provisions of the said schedule. Within the said period of fourteen clear days the licensing authority shall also cause to be conspicuously posted in public places throughout such district printed announcements of the adoption of the said schedule within the district, and these announcements shall also contain a summary of the provisions of the said schedule.

Duration of  
the opera-  
tion of the

14. When and as often as the second schedule of this Act shall have been adopted in any district in the manner herein-

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before set out and authorised, it shall continue and be in force in such district for the term of five years and no longer, and at the expiration of said term the sale of drink within the district shall be free and uncontrolled, in the same manner exactly as it was after the 5 passing of this Statute and before the adoption in such district of any of the schedules of this Act. Provided always, that before the expiration of said term the continued operation of the said schedule may be sanctioned, or some other schedule of this Act adopted, by the inhabitants of such district in the manner herein-after respectively 10 pointed out.

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schedules  
thus adopted.

15. During the operation of the first schedule or of the second schedule of this Act in any district a licensing session shall be held annually to grant such licenses as the licensing authority may deem necessary : Provided always, that no license shall at any time be 15 issued for a longer period than twelve months.

Annual  
licensing  
sessions to  
be held.

16. When and as often as the second schedule of this Act shall have been in force for a period of not less than two years in any district it shall and may be lawful for ten ratepaying inhabitants of such district to sign and forward to the board of guardians of the 20 district a requisition in the form No. 1 in the third schedule of this Act. Such board of guardians shall within ten days after the receipt of the said requisition by them direct and cause it to be published by being inserted in two newspapers circulating in such district, and by causing printed copies of such requisition to be conspicuously 25 posted in public places throughout the district. In like manner and at the same time the board of guardians shall give public notice in the form No. 2 in the said schedule of this Statute contained, that on a day to be named in the said notice (but not to be earlier than the thirtieth nor later than the thirty-fifth day, inclusive of both 30 and of Sundays, after the date of the publication of the said notice), a vote of the inhabitants of such district will be taken upon the question referred to and set out in the said notice.

Ratepayers  
by requisition  
may call  
for prohibition  
of the  
common sale  
of drink ;  
whereupon a  
vote of the  
inhabitants  
shall be  
taken.

17. The hours during which, and the place or places at which the vote shall be taken, as well as the machinery and method to be 35 adopted with reference to such vote, and the proceedings subsequent thereto and until the votes shall have been counted, shall be in all respects as nearly as may be similar to those authorised for adoption in sections five and six of this Act, save insofar as the same may be inconsistent with the provisions next herein-after contained ; that is 40 to say, if it shall appear at the counting of the votes so given as aforesaid that more than five sevenths of the number of persons who shall have recorded their votes have voted in favour of the adoption

If majority  
of five  
sevenths  
vote for such  
prohibition,  
notification  
to be made  
and pub-  
lished.

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of the third schedule of this Act in such district, the returning officer shall forthwith sign ten certificates to that effect, and cause the same to be posted in public places throughout the district in which the vote was taken, and he shall also without delay forward two similar certificates to the petty sessions clerk of such district. 5

Third schedule of this  
Act to come  
into operation.

18. Upon receipt of the said certificates by the petty sessions clerk he shall forthwith transmit one of them to the licensing authority of or for the district, having previously endorsed upon it a memorandum of the fact and date of its reception by him. 10 Within fourteen clear days from the date so certified by the petty sessions clerk the licensing authority of the district with respect to which the requisition was prepared shall cause to be published twice in some newspaper circulating in the district an announcement that at the expiration of six months from the date of the vote so as aforesaid given the provisions of the third schedule of this Act 15 shall be and continue in operation in such district. This announcement shall also contain a summary of the provisions of the said schedule. Within the said period of fourteen days the licensing authority shall also cause to be conspicuously posted in public places throughout such district, printed announcements of the adoption of 20 the said schedule within the district, and these announcements shall also contain a summary of the provisions of the said schedule.

Duration of  
the operation  
of the sche-  
dule thus  
adopted.

19. When in any district the third schedule of this Act shall be adopted in manner aforesaid, any person or persons who for not less than ten years next theretofore had held a license or licenses 25 for the sale of drink by retail within such district, and upon whose license no conviction had been recorded, shall be entitled to compensation, to be claimed, estimated, and paid in the manner herein-after directed and authorised.

Compensa-  
tion to former  
holders in  
districts  
where said  
schedule  
has been  
adopted.

20. As soon as may be after the adoption in any district of the 30 third schedule of this Act any person who until then had held a license for the sale of drink by retail within such district shall be entitled, upon giving to any petty sessions clerk having an office in the district notice in writing of his intention to apply for compensation under this Statute, to receive from such petty sessions clerk a 35 form similar to the form No. 3 in the third schedule of this Act. Such person herein-after called the applicant for compensation shall, within one week from the date of obtaining this form, return it signed by him, and filled up in such manner as will show the annual net income derived by him from the sale of drink by retail in the 40 district during each of the five years next immediately preceding. The petty sessions clerk from whom the form was obtained shall

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forthwith apply by letter to the receiver-general of stamps and taxes for Ireland and require the said receiver-general to forward to him a statement of the amount upon which such applicant for compensation had declared himself as liable to pay income tax, or at which such applicant had been assessed for income tax during each of the five years as to which he shall as aforesaid have made a return to the petty sessions clerk. It shall be lawful for the receiver-general of stamps and taxes for Ireland to transmit or cause to be transmitted the required information to the petty sessions clerk making the application as aforesaid; and upon receipt thereof by him he shall notify the fact to the applicant for compensation. Such applicant shall attend at the petty sessions then next to be held in the petty sessions district whose clerk shall have acted as herein-before is authorised. The justices presiding at such sessions shall compare the statement of income prepared by the claimant for compensation with the return received from the receiver-general of stamps and taxes for Ireland, and shall have power to examine the applicant upon oath and investigate his books of account touching the accuracy of his statement. If satisfied of the accuracy of his statement the justices shall, by order in the form No. 4 in the third schedule of this Act, declare the applicant for compensation entitled to a sum to be named in the said order, but which sum is not to be less than twice nor more than four times the average of the amounts which they shall adjudge to have been his net profits out of the common sale of drink in said district for the term of five years as herein-before directed.

21. If it shall be the fact that the applicant for compensation has paid income tax during fewer years than the five next preceding the date of his claim, the provisions and directions herein-before contained as to compensation shall be construed and followed in each case as if such shorter term and not five years had been fixed as the basis of any calculation directed to be made.

22. If any applicant for compensation shall not have paid income tax during any of the five years next immediately before the date of his claim the amount of compensation, if any, to be paid to him shall be ascertained in manner following; that is to say, the applicant shall (but only if no conviction had been recorded upon his license,) upon giving to any petty sessions clerk having an office in the district notice in writing of his intention to apply for compensation under this Statute, and that he has not paid income tax during any of the five years then immediately preceding, be entitled to receive from such petty sessions clerk a form similar to the form

As to applicants who have not paid income tax.

Mode of determining compensation for certain applicants

A.D. 1875. No. 4 in the third schedule of this Act contained. The applicant for compensation shall within one week of the date of obtaining the form return it signed by him and filled up in such manner as will show the annual net income derived by him from the sale of drink by retail in the district during each of the five years next immediately preceding, or during such smaller number of years as he may so have been engaged in the trade. The petty sessions clerk from whom the form was obtained shall, eight days before the next quarter sessions to be held in the district in which the premises used by the applicant for the sale of drink are situated, give to the sheriff of the county, or leave at his office, a notice in writing to the effect that a jury will be required at such sessions to investigate the claim so made for compensation. Such jury shall be summoned in the same manner as a jury may be at present summoned for quarter sessions in Ireland, and its number shall be in all cases six. At such quarter sessions the chairman shall (a jury summoned as aforesaid having been previously impanelled) proceed to hear the claim of the applicant for compensation, with as full and ample jurisdiction for such purpose as such chairman now has by any Act of Parliament for any other purpose. The jury must be unanimous in any decision they shall arrive at; and if satisfied of the bona fides and accuracy of the claim for compensation investigated by them they shall declare the applicant entitled to a sum not less than twice, nor more than four times, the proven average of the annual net income derived by him from the sale of drink by retail in the district during each of the five years next immediately preceding, or during such smaller number of years as he may so have been engaged in the trade. The chairman shall sign and give to the applicant for compensation a certificate of the verdict arrived at by the jury.

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Funds out  
of which  
compensa-  
tion shall  
be payable.

23. When any applicant for compensation shall have been declared entitled to the same in any of the modes herein-before described, one fourth of the sum to which he is so entitled shall be payable and paid to him out of the county cess of the county within which he had as aforesaid carried on the sale of drink. One other fourth part of the compensation shall be payable and paid to the applicant for compensation out of the poor's rate of the union in which he had as aforesaid carried on the sale of drink. *The remaining moiety of the said sum shall be payable and paid to him out of the consolidated fund.* The production of an office copy of the justice's order, or the production of the chairman's certificate, by the applicant for compensation to the persons for the time being authorised to make payments out of the said county cess,

poor rate, and consolidated fund respectively shall be a sufficient authority to them to make to the applicant for compensation the payments herein-before respectively authorised. Each of these officials at the time of making such payment by him shall endorse 5 upon the justice's officer or chairman's certificate the amount of the payment so made by him and the date of such payment.

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24. No person shall be disentitled to receive compensation under this Statute by reason only of the fact that, at the time of making a claim therefor he had not for ten years next theretofore held 10 a license for the sale of drink by retail, if his immediate predecessor in the occupation of the premises in respect of which he seeks compensation had held a license for the sale of drink by retail in the said premises; provided that no person shall be entitled to have any compensation awarded to him under this Statute 15 unless his own occupation of the licensed premises, or his occupation thereof and that of his immediate predecessor as the licensed occupier of the premises, shall have continued for not less than two years next immediately before the adoption of the third schedule of this Statute in the district where the premises in respect 20 of which he claims compensation are situate.

Persons  
entitled to  
claim com-  
pensation if  
immediate  
predecessor  
has occupied  
for a certain  
time the  
premises  
claimed for.

25. Whenever in any district in which the third schedule of this Act has been in operation, and in which compensation has been paid to liquor dealers in accordance with the provisions of this Act, upon a vote of the inhabitants taken as prescribed in this Act, the first or 25 the second schedule of this Act is brought into operation, licenses shall be issued only in the following manner; that is to say, each person desirous of obtaining a license shall, one week previous to the date of the licensing sessions, send in to the clerk of the licensing authority an application for a license, stating his name and place of abode. The licensing authority shall at such licensing sessions set up 30 to public auction each particular license to be issued for the right to sell drink for one year and no longer in any premises within a specified neighbourhood, place, or locality, and at said auction only such of the said applicants shall bid as the said authority shall previously at said sessions adjudge to be fit and proper persons to hold 35 licenses in such district.

In districts  
where com-  
pensation  
has once  
been paid,  
future  
licenses to be  
by auction  
sold.

26. The proceeds of such auction sale of licenses shall be paid into the following funds as follows; that is to say, one fourth to the poor rate fund of the district, one fourth to the grand jury rate fund 40 of the district, and one half to the consolidated fund.

How pro-  
ceeds of such  
auction sale  
shall be ap-  
plied.

27. Whenever the first schedule of this Statute shall have been adopted in any district, and in force there for a period of not less

As to adop-  
tion of the

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Second schedule  
of this  
Act.

than one year, it shall be lawful for ten inhabitants of such district to initiate proceedings by way of requisition for the purpose of having the second schedule of this Act adopted and put in force in such district, and all proceedings in connexion with or arising out of the said requisition, or the subject matter thereof, shall be 5 in all respects similar to those in sections five and six of this Statute prescribed regarding such requisition as is therein mentioned, and any proceedings to be taken in connexion therewith.

As to adop-  
tion of the  
third sched-  
ule of this  
Act.

28. Whenever the second schedule of this Act has been in force in any district for not less than two years, and whether any requisition such as is authorised in section five of this Act has or has not been prepared, it shall be lawful for ten inhabitants of such district to promote a requisition for the adoption therein of the third schedule of this Statute. All proceedings connected with such requisition are to be similar to those herein-before authorised and directed 15 in sections sixteen and seventeen of this Statute prescribed regarding such requisition as is therein mentioned, and any proceedings to be taken in connexion therewith. It shall not be lawful to forward to any board of guardians a second or other requisition later than six days after one requisition authorised by this Statute 20 shall have been forwarded to such board; and when a vote has been taken in any district resulting in the adoption therein of any schedule of this Act, it shall not be lawful for any inhabitants of such district to prepare any other requisition under this Act until a period of at least twelve months shall have elapsed. 25

Order of  
voting on  
two or more  
requisitions.

29. Whenever two or more requisitions from inhabitants of the same district have been, in manner authorised by this Act, forwarded to any board of guardians, such board shall execute this Statute so that the opinion of the inhabitants of such district shall first be taken upon the adoption of the schedule which would, if adopted, 30 impose the greatest amount of restriction upon the sale of drink by retail in such district. If it be duly ascertained that the requisite proportion of the inhabitants of the district have voted for the adoption of such schedule therein, no further proceedings shall be taken as to any other requisition which shall at that date have been 35 forwarded to any board of guardians in such district.

Further  
regulation  
of the order  
of voting on  
two or more  
requisitions.

30. If after the taking of the vote as in the next preceding section is directed it shall appear upon the counting of the votes that a sufficient proportion has not been given to authorise the adoption in such district of the schedule voted upon, such proceedings as are in this Act herein-before authorised and directed with respect to the other or next most restrictive schedule of this Act 40

shall forthwith be instituted and carried out; and if upon the taking of the vote thereupon it shall be found that a sufficient majority has voted for the adoption of such schedule, no further proceedings shall be taken as to any other requisition which shall at 5 that date have been forwarded to any board of guardians in such district. If the necessary majority shall not have voted for the adoption of such schedule, then, in such manner as is by this Statute authorised with respect to a requisition for the adoption of any less restrictive schedule of this Act, proceedings shall be taken for 10 a vote upon the adoption of the said schedule within such district.

**31.** The schedules hereto annexed and the forms therein shall have effect and be construed as part of this Act.

**32.** Nothing in this Act contained shall be construed as forbidding or rendering illegal the sale of drink to bona fide hotel 15 guests and travellers in districts where either the first or second schedule of this Act is in force.

**33.** Nothing in this Act contained shall be construed as rendering it compulsory on any person licensed to sell intoxicating liquors to carry on such sale at any hours or upon any days or to any 20 person or persons whatsoever.

A.D. 1875

Schedules to  
be construed  
as part of  
this Act.

Sale to bona  
fide hotel  
guests and  
travellers  
not pro-  
hibited.

Sale of drink  
not to be  
compulsory  
on vendors  
in any case.

A.D. 1874.

## S C H E D U L E S.

## F I R S T S C H E D U L E.

## F O R M N o . 1.

To the Board of Guardians of the Poor Law Union of  
 Notice is hereby given that by virtue of the powers contained in an Act of 5  
 Parliament passed in the session held in the thirty-seventh and thirty-eighth  
 years of the reign of Her Majesty Queen Victoria, "The License Amendment  
 (Ireland) Act, 1874," the undersigned inhabitants of the district of  
 in the barony of and county of  
 require you to take proceedings in accordance with the said Statute for the 10  
 purpose of obtaining a vote of the inhabitants of the said district upon the  
 expediency of restricting the common sale of drink by retail in said district.

Dated this day of 18

	Successive and Christian Name of Inhabitants.	Residence.
1.		15
2.		
3.		
4.		
5.	*	
6.		20
7.		
8.		
9.		
10.		

## F O R M N o . 2.

25

Licence Amendment (Ireland) Act, 1874  
 District of } Notice is hereby given that by virtue of the powers con-  
 tained in an Act of Parliament passed in the thirty-seventh  
 and thirty-eighth years of the reign of Her Majesty Queen Victoria, "The  
 License Amendment (Ireland) Act, 1874," and in pursuance of a requisition of 30  
 certain of the inhabitants of the district of , a vote of the in-  
 habitants of the said district will be taken on the day  
 of 18 , as to the expediency of restricting the common sale  
 of intoxicating drinks by retail in such district

A.D. 1873.

The hours for the taking of the said vote will be from      o'clock a.m. to      o'clock p.m. upon the said day, and votes may be tendered at any time between these limits.

The place where the said vote shall be taken will be

5     The persons entitled to vote upon the said question are those persons whose names appear upon the poor law assessment book now in force in or for the said district of                  , as the occupiers of any dwelling-house therein.

10    Each person entitled as aforesaid to vote, and who shall duly present himself for that purpose, shall be handed by the returning officer a printed paper similar in every respect to the following :

District of	, county of
Do you wish the liquor traffic in this district to be restricted ?	
Do you wish the liquor traffic in this district to be free as it now is ?	

15

Each person voting is to put a + in the square space which follows the question in favour of which he wishes to record his vote.

If more than three fifths of the persons who shall record their votes vote in favour of the restriction of the sale of intoxicating drink by retail in the district of                  , the sale of such drink therein shall be no longer free in such district, except for      days after the existence of such majority shall be ascertained. On the contrary the common sale of drink in the district of                  may only be carried on lawfully by such persons as shall apply for and obtain a license authorising them to carry on such sale; and, moreover, sales of intoxicating drink in the district of                  by such licensed persons shall be regulated by the laws which were in force in said district as regards same immediately preceding the passing of this Act.

#### SECOND SCHEDULE.

The common sale of drink by retail shall be lawful only on week days, and only between the hours of eight o'clock a.m. and eight o'clock p.m.: Provided always, that nothing herein contained shall be construed as prohibiting the sale of drink to any traveller, as defined in this Act, or to any person who is bona fidejourneing as a hotel guest at a house licensed for the sale of drink.

The common sale of drink by retail shall not be lawful upon Christmas Day, Good Friday, or any day set apart for public fast or thanksgiving.

In all other respects, not inconsistent, the common sale of intoxicating drinks shall be regulated by the laws which were in force as regards same immediately preceding the passing of this Act.

A.D. 1875

## FORM No. 1.

To the Board of Guardians of the Poor Law Union of \_\_\_\_\_  
 Notice is hereby given, that by virtue of the powers contained in an Act of Parliament passed in the session holden in the thirty-seventh and thirty-eighth years of the reign of Her Majesty Queen Victoria, and known as "The License Amendment (Ireland) Act, 1874," the undersigned inhabitants of the district of \_\_\_\_\_, in the barony of \_\_\_\_\_ and county of \_\_\_\_\_, require you to take proceedings in accordance with the said Statute, for the purpose of obtaining a vote of the inhabitants of the said district of \_\_\_\_\_, upon the expediency of further limiting and restricting the common sale of intoxicating drink by retail in said district.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_.

	Surname and Christian Name of Inhabitants.	Residence
1.		
2.		15
3.		
4.		
5.		
6.		
7.		20
8.		
9.		
10.		

## FORM No. 2.

License Amendment (Ireland) Act, 1874.

25

District. ] Notice is hereby given, that by virtue of the powers contained in an Act of Parliament passed in the thirty-seventh and thirty-eighth years of the reign of Her Majesty Queen Victoria, namely, "The License Amendment (Ireland) Act, 1874," and in pursuance of a resolution of certain of the inhabitants of the district of \_\_\_\_\_, a vote of the inhabitants of the said district will be taken on the day of \_\_\_\_\_ 18 \_\_\_\_\_, as to the expediency of further restricting the common sale of intoxicating drinks by retail in such district.

The hours for the taking of the said vote will be from \_\_\_\_\_ o'clock a.m. to \_\_\_\_\_ o'clock p.m. upon the said day; and votes may be tendered at any time between these limits.

The place where the said vote shall be taken will be \_\_\_\_\_.

5 The persons entitled to vote upon the said question are those persons whose names appear upon the poor law assessment book now in force in or for the said district of \_\_\_\_\_, as the occupiers of any dwelling-house therein.

Each person entitled to vote as aforesaid, and who shall duly present himself for that purpose, shall be handed by the returning officer a printed paper similar in every respect to the following:

District of \_\_\_\_\_ county of \_\_\_\_\_

Do you wish the liquor traffic in this district to be further restricted?	
---	--

Do you wish the liquor traffic in this district to continue as it now is?	
---	--

15

Each person voting is to put a + in the square space which follows immediately after the question in favour of which he wishes to record his vote.

If more than two thirds of the persons who shall record their votes vote in favour of further restricting the sale of intoxicating drinks by retail in the district of \_\_\_\_\_, the sale of such drink therein by retail shall be lawful upon week days only, and only between the hours of eight o'clock a.m. and eight o'clock p.m. Provided that no sale of intoxicating drinks shall be lawful in such district on Christmas Day, Good Friday, or any day set apart for public fast or thanksgiving.

25

### THIRD SCHEDULE.

The common sale of intoxicating drinks shall be and the same is hereby made illegal throughout this district:

Provided always, that the board of guardians may, with the concurrence of the licensing authority, annually to be given, establish and by their own officials conduct a public depôt or depôts for the sale of intoxicating liquors within the district for such purposes and subject to such regulations as they may determine.

#### FORM No. 1.

To the Board of Guardians of the Poor Law Union of \_\_\_\_\_.

35 Notice is hereby given that by virtue of the powers contained in an Act of Parliament passed in the session holden in the thirty-seventh and thirty-eighth years of the reign of Her Majesty Queen Victoria, the "License Amendment (Ireland) Act, 1874," the undersigned inhabitants of the district of \_\_\_\_\_ in the barony of \_\_\_\_\_ and county of \_\_\_\_\_

40 require you to take proceedings in accordance with the said Statute for the

[71.]

C

A.D. 1875. purpose of obtaining a vote of the inhabitants of the said district upon the expediency of prohibiting the common sale of intoxicating drinks in said district.

Dated 11-1-

day of

78

Form No. 2.

License Amendment (Ireland) Act, 1874.

Directed eff

District of } Notice is hereby given that by virtue of the powers contained in an Act of Parliament passed in the thirty-seventh and thirty-eighth years of the reign of Her Majesty, "The Licence Amendment (Ireland) Act, 1874," and in pursuance of a requisition of certain of the inhabitants of the district of , a vote of the inhabitants of the said district will be taken on the day of as to the expediency of prohibiting and rendering illegal the common sale of intoxicating drinks in such district.

The place where the said vote shall be taken will be

The hours for the taking of the vote will be from \_\_\_\_\_ o'clock a.m. to \_\_\_\_\_ o'clock p.m. upon the said day, and votes may be tendered at any time between these limits.

The persons entitled to vote upon the said question are those persons whose names appear upon the poor law assessment book now in force in or for the said district of \_\_\_\_\_ as the occupiers of any dwelling-house therein.

Each person entitled as aforesaid to vote, and who shall duly present himself,

at the \_\_\_\_\_ aforesaid for that purpose, shall be handed by the returning officer a printed paper, similar in every respect to the following : A.D. 1875.

District of \_\_\_\_\_, county of \_\_\_\_\_

5	Do you wish the liquor traffic in this district to be made illegal and abolished ?	
	Do you wish the liquor traffic in this district to remain as it now is ?	

Each person voting is to put a + in the small square which follows the question in favour of which he wishes to record his vote.

10 If more than five sevenths of those who record their votes vote for the abolition of the liquor traffic in the district of \_\_\_\_\_, the sale of intoxicating drinks therein shall become illegal \_\_\_\_\_ months after the existence of such majority shall be ascertained, except that at a public depôt in such district it shall be lawful for the board of guardians to carry on such

15 sale for certain prescribed purposes.

#### Form No. 3.

The License Amendment (Ireland) Act, 1874.

District of \_\_\_\_\_ I.A.B. of \_\_\_\_\_ in the county of \_\_\_\_\_, hereby declare that the following statement is accurate

20 and complete, to the best of my knowledge and belief, and that it represents my net income from the sale of intoxicating drink by retail in the district of \_\_\_\_\_ during each of the last five years.

25	1874	-	-	-	- £
	1873	-	-	-	- £
	1872	-	-	-	- £
	1871	-	-	-	- £
	1870	-	-	-	- £

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_\_  
30 (Signed) \_\_\_\_\_ I.A.B.,  
of \_\_\_\_\_

#### Form No. 4.

The License Amendment (Ireland) Act, 1874.

District of \_\_\_\_\_ Having considered and investigated the claim of A.B. of \_\_\_\_\_ for compensation in respect of the

35 sum of £ \_\_\_\_\_ borne by him for premises situate at \_\_\_\_\_, it is ordered that a sum of £ \_\_\_\_\_ be paid to the said A.B. as and for such compensation.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_\_  
40 (Signed) \_\_\_\_\_ C.D. \_\_\_\_\_ Justices of the peace  
E.F. \_\_\_\_\_ for the county  
G.H. \_\_\_\_\_ of \_\_\_\_\_

# Intoxicating Liquors (Ireland).

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## A. B I L L

To amend the Laws relating to the  
Common Sale of Intoxicating Liquors  
in Ireland.

(Prepared and arranged in by  
Mr. Salmon and Mr. D'Avore.)

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Ordered, by the House of Commons, to be Printed,  
22 February 1876.

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[Bill 71.]

Under 3 oz.